

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DEMETRIUS BAILEY,	)	
	)	Civil Action No. 09 – 900
Plaintiff,	)	
	)	District Judge Donetta W. Ambrose
v.	)	Chief Magistrate Judge Lisa Pupo Lenihan
	)	
PA CHRIS MEYERS, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

**AND NOW**, this 17th day of April, 2014, after Plaintiff, Demetrius Bailey, filed a “Motion to Return Initial Partial Filing Fee of \$23.67 or Transfer Initial Filing Fee to 2:13-cv-78 and Dismiss or Close Civil Action No. 09-900” (ECF No. 14),

**IT IS HEREBY ORDERED** that the Motion is **GRANTED in part, DENIED in part and DEFERRED in part**. The Motion is granted to the extent that Plaintiff’s partial payment of filing fee of \$23.67 in the above-captioned matter will be transferred to C.A. No. 2:13-cv-78 to satisfy the initial partial filing fee due in that case. The Motion is denied to the extent that it seeks return of \$23.67 received as partial payment of the filing fee for the above-captioned matter. The ruling on Plaintiff’s request for voluntary dismissal will be deferred to the District Judge.

**IT IS FURTHER ORDERED** that the Clerk of Court transfer the fee of \$23.67 received as partial payment of the filing fee for the above-captioned matter to C.A. No. 2:13-cv-78 as partial payment of the filing fee in that case.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan

Chief United States Magistrate Judge

cc: Demetrius Bailey  
CP-7819  
SCI Coal Township  
1 Kelley Drive  
Coal Township, PA 17866  
Via First Class Mail

Finance Department  
U.S. District Court  
Western District of PA

Inmate Account Officer  
S.C.I. Coal Township  
1 Kelley Drive  
Coal Township, PA 17866